

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ENOCH W. PARRY, III,

Plaintiff,

14cv1115

**ELECTRONICALLY FILED**

v.

NEW DOMINION CONSTRUCTION,  
INC., MICHAEL PASCUZZI, AND  
NICHOLAS PASCUZZI, III,

Defendants.

**Order of Court**

And now, this 10<sup>th</sup> day of February, 2015, it is HEREBY ORDERED that:

- (1) Defendants' Motion for Summary Judgment (doc. no. 19) on all counts except Retaliation (Count II) is GRANTED.
- (2) Plaintiff's Motion for Partial Summary Judgment (doc. no. 23) is DENIED, and the Motion to Amend/Correct Complaint (doc. no. 23) is GRANTED.
- (3) A status/settlement conference is set for February 17, 2015, at 9:00 a.m. at which Plaintiff, the President of Defendants, and any named parties shall personally attend along with lead trial counsel of record.
- (4) The Amended Complaint setting forth two separate and distinct counts for retaliation (existing Count II re: suspension/termination, and new Count V re: Counterclaims)<sup>1</sup> shall be filed by February 11, 2015, with Answer due by February 13, 2015.

s/Arthur J. Schwab  
Arthur J. Schwab  
United States District Judge

cc: All Registered ECF Counsel and Parties

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<sup>1</sup> Although summary judgment has been granted as to existing Count IV, Plaintiff's Amended Complaint shall not replace existing Count IV with the new count for retaliation re: Counterclaims. Rather, Plaintiff shall title it as Count V for retaliation re: Counterclaims.